

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET EQUALITY COMMITTEE

13 MARCH 2014

REPORT OF THE CORPORATE DIRECTOR RESOURCES

WELSH LANGUAGE (WALES) MEASURE 2011 / WELSH LANGUAGE STANDARDS

1. Purpose of Report

To update the Cabinet Equality Committee on developments with the Welsh Language (Wales) Measure 2011 and Welsh Language Standards

2. Connection to Corporate Improvement Plan / Other Corporate Priority

The Welsh Language (Wales) Measure 2011 will replace Welsh Language Schemes with a set of enforceable national 'standards'. These national standards will impact upon the work of the whole council. They will be linked to the equalities agenda, and will form a key component of the council's Customer Care Programme.

3. Background

The Welsh Language (Wales) Measure was introduced by Welsh Government in March 2010 to:

- modernise the existing legal framework from the 1993 Welsh Language Act to promote consistency in Welsh language service provision throughout Wales;
- bring a number of private sector organisations who provide services to the public under the scope of the new law;
- establish the office of the Welsh Language Commissioner with a stronger enforcement role than the Welsh Language Board which it replaced on 1 April 2013.

Additionally, the standards will also link to the following council's corporate priorities:

- working together to raise ambitions and drive up educational achievement
- working together to help vulnerable people to stay independent
- working together to make the best use of our resources

4. Current situation / proposal

- 4.1 On 21 October 2013, the First Minister announced a timetable for making the first set of standards relating to the Welsh language. Welsh Government aims to have drafted regulations for the standards in September 2014 and for these to be in force by November 2014. Bridgend County Borough Council's (BCBC) Welsh Language Scheme would therefore come to a legal end in 2015. The first set of proposed standards has been published and the Welsh Language Commissioner is using

these as a basis for a 12 week standards investigation (from 27 January 2014) to determine whether Welsh councils, National Parks and Welsh Ministers can comply with the standards and, if so, which standards should apply. Annual monitoring reports will continue to be required in the interim period.

The Welsh Language Commissioner will submit a report on the standards investigation to Welsh Ministers in May 2014. The Welsh Government will then draft regulations in September 2014 which are expected to be in place by November 2014. Preparations are also underway for the Commissioner to conduct inspections in order to test performance. A compliance checklist has been drafted in order to test BCBC's compliance with the proposed standards and this is attached as appendix 1.

4.2 BCBC welcomes developments in legislation offering a more consistent level of service to Welsh speakers. Key points and concerns are that the measure:

- provides for the standards to be reasonable and proportionate;
- clarifies the principal aim of the Commissioner's role "to promote and facilitate the use of the Welsh language";
- strengthens the independence of the Commissioner from Welsh Government.
- specifies a duty for the codes of practice which will support the standards to be consulted upon;

The measure also:

- confirms the official status of the Welsh language;
- places duties on public bodies to provide services through the medium of Welsh;
- created the Welsh Language Commissioner with strong enforcement powers to protect the rights of Welsh speakers accessing services through the medium of Welsh;
- establishes a Welsh Language Tribunal;
- gives individuals and bodies the right to appeal decisions made in relation to the provision of services through the medium of Welsh;
- creates a Welsh Language Partnership Council to advise Government on its strategy in relation to the Welsh language;
- allows for an official investigation by the Welsh Language Commissioner of instances where there is an attempt to interfere with the freedom of Welsh speakers to use the language with one another.

5. Effect upon Policy Framework & Procedure Rules

As this is an information report, there are no proposed changes to the Policy Framework and Procedure Rules.

6. Equality Impact Assessment

No equality impact assessment has been carried out in relation to this report as it is an information report. The Welsh Language Scheme continues to support the authority's equality agenda and will do so until such time as the national standards become operational.

7. Financial Implications

The Welsh Language (Wales) Measure 2011 may have financial implications for local government, but this will not be fully understood until the standards and accompanying codes of practice are produced.

8. Recommendation

It is recommended that Cabinet Equalities Committee receives and considers this report.

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31 January 2014

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Background documents: None